

**TTAB**

Albert P. Patterson

World Wrestling Association

WWA Superstars of Wrestling

World Wrestling Association Superstar

**World Wrestling Association Superstars**

3840 N. Sherman Blvd.

(414) 873- 3844

Milwaukee, WI 53216

UNITED STATES PATENT AND TRADEMARK OFFICE

Attn: trademark trial and appeal board

p.o. 1451

Alexandria, VA. 22213-1451

**cancellation No. 92057838**

# 77626242

Good afternoon,

Early last month a response was sent to both the USPTO and the WWE. The 21 day(s) that's required to hear a response has passed, and we're wondering if a decision has been met. If a decision has not been reached, we would like to undergo mediation with the other party. In addition, the *res judicata* argument that was presented we would like to have further clarification in regards to it.

Thank you

  
Albert Patterson



\*07-02-2014\*

U.S. Patent and Trademark Office #72

C.C. = Charles G. Joyner

**Albert P. Patterson**  
**President**

WWA / World Wrestling Super Star®  
Super Stars Wrestling Television Series®  
WWA / Super Stars of Wrestling Television Programs®  
Super Stars of Wrestling®  
Professional Wrestling Entertainment Services®



3840 N. Sherman Blvd.  
Milwaukee, WI 53216

(414) 873-3844  
(414) 412-6351

**WORLD WRESTLING ASSOCIATION**

Int. Cls.: 35 and 41

Prior U.S. Cls.: 100, 101, 102 and 107

**United States Patent and Trademark Office**

Reg. No. 3,051,928  
Registered Jan. 31, 2006

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE WRESTLING ASSOCIATION,  
APART FROM THE MARK AS SHOWN.

**WWA WORLD WRESTLING SUPER  
STARS, INC.**

No claim is made to the exclusive right to use "WRESTLING" and  
mark as shown. ' apart from the

**FOLLOW US ON TWITTER: @WWASUPERSTARS1**  
**CATCH US ON FACEBOOK @ "WWA SUPERSTARS"**  
**WWW.WWASUPERSTARSOFWRESTLINGLIVE.COM AND WWW.WWASUPERSTARSOFWRESTLING@YAHOO.COM**

Disclaimer

Type of Mark

Register

Affidavit Text

Renewal

Live/Dead Indicator

Distinctiveness

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "WRESTLING" APART  
FROM THE MARK AS SHOWN

SERVICE MARK

PRINCIPAL-2(F)-IN PART

SECT 15. SECT 8 (8-YR). SECTION 8(10-YR) 20050415.

1ST RENEWAL 20050415

LIVE

as to "SUPERSTARS OF WRESTLING"

Registration Number  
Registration Date

1857015  
October 4, 1994

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

SUPERSTARS OF WRESTLING  
(WWA SUPERSTARS), INC. and  
ALBERT PATTERSON,

Petitioners,

V.

TITAN SPORTS, INC,

Respondent.

**EXPRESS MAIL CERTIFICATION**

I hereby certify that the following attached papers:

PETITIONER'S NOTICE TO REVIEW

EXHIBITS IN SUPPORT OF PETITIONER'S MOTION TO REVIEW

DECLARATION OF ALBERT PATTERSON

Are being deposited with the United States Postal Service

Albert Patterson

Typed or printed name of person mailing papers

Albert Patterson

Signature of person mailing papers

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE  
TRADEMARK TRIAL AND APPEAL BOARD**

ALBERT PATTERSON,

Petitioner,

vs.

WORLD WRESTLING

ENTERTAINMENT, INC.

Cancellation no. 92/057,838

Reg. No. 3,871,019

Mark: WWE SUPERSTARS

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Mr. Verdini's disrespect and disregard to what is truthful and just is an atrocity. Res judicata does not pertain to this case. In previous attempts to reach a settlement with the WWE res judicata was not established even then. The WWE has blatantly and unjustly used footage and and other trademarked property by WWA (dba Superstars of Wrestling).

The WWE claims to have an audio recording of myself agreeing to no longer go free them in the courtroom. According to A Fortiori I have provided proceedings that say otherwise, and if that's the case the information I have provided indicates that it's true, and everything following it is true as well.

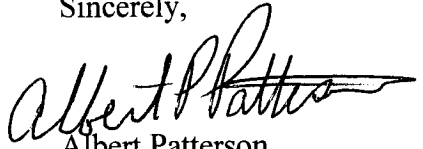
The infringement claims against the WWE based on their use of 'WWF Superstars' and 'WWE Superstars' are not barred by res judicata (see ex. 2). The infringement claims against the WWE based on their use of 'WWE' and 'World Wrestling Entertainment' are not barred by judicial estoppel.

Judgment in a civil case #02-c-240 C.N Chev US district judge August 31, 2005. 'World Wrestling' 'All Stars' 'Superstars'. Also, judgment in the civil case #03-c-374 Hon. Rudolph T. Randa chief judge August 21, 2006 'World Wrestling' 'Superstars' 'WWE'.

I hope that with this new information and evidence that has been brought to light the patent and trademark office keep the case open, and a resolution finally be reached.

---

Sincerely,

  
Albert Patterson



1 UNITED STATES DISTRICT COURT  
2 EASTERN DISTRICT OF WISCONSIN

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3 ALBERT PATTERSON d/b/a WORLD WRESTLING  
4 ASSOCIATION d/b/a SUPERSTARS OF WRESTLING,  
5 INC., and d/b/a W.W.A. SUPERSTARS,

6 Plaintiff,

7 vs.

Civil No. 02-C-240

8 ANDREW MCMANUS, INDIVIDUALLY, WORLD WRESTLING  
9 ALL-STARS, INC., WARNER COMMUNICATIONS, INC.,  
10 HUGHES ELECTRONICS CORPORATION, DIRECTV, INC.,  
11 SPRING COMMUNICATIONS II, LLC, WORLD WRESTLING  
12 ENTERTAINMENT, INC., and IMPACT TALENT, INC.,

13 Defendants.

---

14 TRANSCRIPT OF MOTION HEARING

15 Record made in the above-entitled matter before the  
16 Honorable Charles N. Clevert, Judge of said Court, on  
17 November 14, 2003, commencing at 11:40 a.m.

18  
19 Proceedings recorded by machine shorthand, transcript prepared  
20 by computer-aided transcription.

21  
22 Christine L. Petrie, RMR  
23 United States Court Reporter  
24 517 E. Wisconsin Avenue, Rm. 422  
25 Milwaukee, WI 53202  
(414) 297-1122



1 should he grant you leave to file a further amended complaint.

2 It's my understanding that WWE would likely embrace its  
3 reasons for dismissal in any -- with respect to any further  
4 filings in Judge Randa's court, but that's in my view not  
5 particularly problematic.

6 MR. BOUTWELL: Okay.

7 THE COURT: And so as I see it WWE should be out of  
X 8 this case. Dismissal as against WWE would not be with  
9 prejudice. It would be without prejudice and of course it  
10 would be subject to your being granted leave to proceed on the  
11 claims you raised here in the proceeding before Judge Randa in  
12 03-374.

13 When I say proceed on those claims, I'm not saying that  
14 you should be able to reach the merits of those claims, but  
15 rather those claims can be asserted and then disposed of on  
16 whatever basis is appropriate in the proceeding before Judge  
17 Randa. That would greatly simplify the matters that have been  
18 presented and allow this case to proceed as may be warranted.  
19 As to whether or not there is still overlap between the two  
20 cases, I can't say at this stage.

21 MR. KRASIK: Your Honor, may I ask one question for  
22 clarification?

23 THE COURT: Yes.

24 MR. KRASIK: In your dismissal without prejudice, do  
25 you mean -- I'm asking whether that means that he can assert

1 these issues in the lawsuit before Chief Judge Randa, however  
2 he cannot reassert them in this proceeding?

3 THE COURT: He cannot reassert those issues in this  
4 litigation, but I can't control what Judge Randa does and I  
5 can only say that I'm dismissing without prejudice so that if  
6 the stipulation for amendment of the complaint for Judge Randa  
7 and incorporation and application for your arguments -- Let  
8 me restate this.

9 As I understand it, upon dismissal of WWE from this  
10 litigation, based on your arguments it would appear that you  
11 would -- you're agreeing that Mr. Patterson should be allowed  
12 to assert his claims against WWE in case number 03-374 subject  
13 of course to any motions that you have filed or will file with  
14 respect to the claims that are now pending here.

15 MR. KRASIK: That's accurate, Your Honor, and thank  
16 you for the clarification.


17 THE COURT: All right. With that having been said,  
18 is there more that needs to be done with regard to your client  
19 in this litigation?

20 MR. KRASIK: Well, Your Honor, I think unfortunately  
21 there is a little bit and that is that we've been forced to  
22 incur not insignificant costs in opposing an ill-conceived and  
23 truly regrettable motion to compel discovery, and this was a  
24 motion to compel that was filed without the slightest  
25 consultation with us regarding Mr. Patterson's issues.

## C E R T I F I C A T E

1  
2 I, Christine L. Petrie, Official Court Reporter,  
3 United States District Court, Eastern District of Wisconsin,  
4 do hereby certify that the foregoing is a correct transcript  
5 from the record of proceedings in the above-entitled matter.

6 Dated this 25<sup>th</sup> day of November, 2003.

7  
8  
9   
10 Christine L. Petrie, RMR  
11 Official Court Reporter  
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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

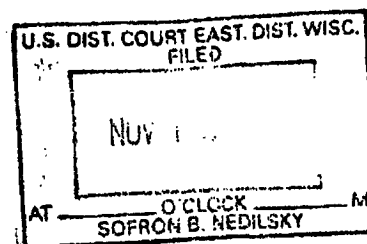
ALBERT PATTERSON,  
d/b/a World Wrestling Association,  
Superstars of Wrestling, Inc.,

Plaintiff,

v.

Case No. 02-C-0240

ANDREW McMANUS,  
WORLD WRESTLING ALL-STARS, INC.,  
WARNER COMMUNICATIONS, INC.,  
HUGHES ELECTRONICS CORPORATION,  
DIRECTV, INC., AND SPRING  
COMMUNICATIONS II, LLC.  
WORLD WRESTLING ENTERTAINMENT, INC.,  
and IMPACT TALENT, INC.



Defendants.

DECISION AND ORDER

GRANTING DEFENDANT WORLD WRESTLING ENTERTAINMENT, INC.'S MOTION TO DISMISS (DOC. # 55), DENYING PLAINTIFF'S MOTION TO COMPEL AGAINST WORLD WRESTLING ENTERTAINMENT, INC. (DOC. # 59), GRANTING WORLD WRESTLING ENTERTAINMENT, INC.'S REQUEST FOR REASONABLE COSTS AND ATTORNEY'S FEES, DEEMING WITHDRAWN PLAINTIFF'S MOTION TO COMPEL AGAINST WARNER COMMUNICATIONS, INC., DIRECTV, INC., AND SPRING COMMUNICATIONS II, LLC (DOC. # 58), AND DENYING PLAINTIFF'S MOTION FOR ENTRY OF DEFAULT AGAINST ANDREW McMANUS (DOC. # 57)

On November 14, 2003, this court conducted a hearing on all pending motions. Attorney Charles D. Boutwell appeared telephonically for the plaintiff, and Attorney Linda E. Hansen appeared for defendants World Wrestling All-Stars, Inc., Warner Communications, Inc., Hughes Electronics Corporation, DirectTV, Inc., and Spring Communications II, LLC. Attorneys Curtis B. Krasik and Shepard A. Davis appeared for defendants World Wrestling Entertainment, Inc. For the reasons set forth on the record,

IT IS ORDERED that defendant World Wrestling Entertainment, Inc.'s motion to dismiss is granted, without prejudice and subject to plaintiff's ability to amend his complaint in *Patterson v. World Wrestling Entertainment, Inc.*, Case No. 03-C-374 (E.D. Wis.).

IT IS ORDERED that plaintiff's motion to compel production of documents against World Wrestling Entertainment, Inc., is denied.

IT IS FURTHER ORDERED that defendant World Wrestling Entertainment, Inc.'s request for reasonable attorney's fees and costs incurred in opposing the motion to compel is granted pursuant to Rule 37(a)(4)(B). Defendant shall submit an itemized bill of costs for the court's review. Plaintiff shall have ten days to file any objection to defendant's submissions. The court retains jurisdiction over World Wrestling Entertainment, Inc., for the purpose of awarding fees and costs.

IT IS FURTHER ORDERED that plaintiff's motion to compel production of documents against Warner Communications, Inc., Hughes Electronics Corporation, DirectTV, Inc., and Spring Communications II, LLC, is deemed withdrawn. If the parties are unable to resolve their dispute within thirty days, the motion may be renewed.

IT IS FURTHER ORDERED that plaintiff's motion for default judgment against Andrew McManus is denied.

Dated at Milwaukee, Wisconsin, this 14<sup>th</sup> day of November, 2003.

BY THE COURT

  
C. N. CLEVERT, JR.  
U. S. District Judge

This 14th day of Nov, 2003, pursuant to Rule 77(d) Federal Rules of Civil Procedure, copies of this document were mailed by M. J. Jones to the following parties:

Attorney Charles Drake Boutwell  
3075 Plum Island Dr.  
Northbrook, IL 60062

Attorney Linda E. Hansen  
Patterson Thuenke Skaar & Christensen  
U. S. Bank Center  
777 E. Wisconsin Ave., Suite 2000  
Milwaukee, WI 53202-5345

Attorney Curtis B. Krasik  
Kirkpatrick & Lockhart  
535 Smithfield St.  
Pittsburgh, PA 15222

Attorney Shepard A. Davis  
Burton & Davis  
611 N. Broadway - Ste. 335  
Milwaukee, WI 53202





Rev. 5/85 Judgment in a Civil Case

# United States District Court

## EASTERN DISTRICT OF WISCONSIN

### JUDGMENT IN A CIVIL CASE

ALBERT PATTERSON,  
d/b/a World Wrestling Association,  
Superstars of Wrestling, Inc.,

Plaintiff,

v.

Case No. 02-C-0240

ANDREW McMANUS,  
WORLD WRESTLING ALL-STARS, INC.,  
WARNER COMMUNICATIONS, INC.,  
HUGHES ELECTRONICS CORPORATION,  
DIRECTV, INC.,  
SPRING COMMUNICATIONS II LLC, and  
IMPACT TALENT, INC.

Defendants.

U.S. District Court  
Eastern Dist. of Wis.

I hereby certify that this is a  
true and correct copy of the original now  
retaining of record in my office.

SOFRON B. NEDILSKY, Clerk

DATED:

9-1-05 By E. D. Lawton Deputy

This action has come before the court, the issues have been decided and  
a decision has been rendered. Therefore,

**IT IS ORDERED AND ADJUDGED** that default judgment is entered  
against World Wrestling All-Stars, Inc., in favor of plaintiff.

**IT IS FURTHER ORDERED** that defendant World Wrestling All-Stars, Inc.  
is enjoined from using, displaying, licensing, or otherwise presenting plaintiff's service  
marks: WORLD WRESTLING ASSOCIATION, WWA, SUPERSTAR WRESTLING,  
SUPERSTARS WRESTLING, SUPERSTARS OF WRESTLING, SUPERSTARS OF  
PRO WRESTLING, WWA SUPERSTAR WRESTLING, WWA SUPERSTARS

WRESTLING, WWA SUPERSTARS OF WRESTLING, and WWA SUPERSTARS OF  
PRO WRESTLING.

IT IS FURTHER ORDERED that this case is closed.

APPROVED:

/s/ C. N. Clevert, Jr.

C. N. CLEVERT

U. S. District Judge

SOFRON B. NEDILSKY

Clerk

August 31, 2005

Date

/s/ Katina Hubacz

(By) Deputy Clerk



06TJ000630

# United States District Court

EASTERN DISTRICT OF WISCONSIN

## JUDGMENT IN A CIVIL CASE

ALBERT PATTERSON d/b/a  
WORLD WRESTLING ASSOCIATION,  
SUPERSTARS OF WRESTLING, INC.  
and d/b/a W.W.A. SUPERSTARS,

Plaintiff,

V.

CASE NUMBER: 03-C-374

WORLD WRESTLING ENTERTAINMENT, INC.; and  
GOOD HUMOR CORPORATION,  
d/b/a Good Humor Breyer's Ice Cream;

Defendants.

and

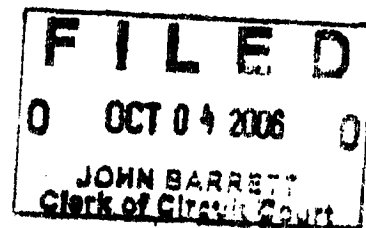
WORLD WRESTLING ENTERTAINMENT, INC.

Counterclaimant,

V.

ALBERT PATTERSON, d/b/a  
WORLD WRESTLING ASSOCIATION,  
SUPERSTARS OF WRESTLING, INC.  
and d/b/a W.W.A. SUPERSTARS,

Counter-defendant.



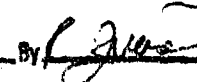
HON. JEAN W. DIMOTTO, BR. 7  
**CIVIL F**

U.S. District Court  
Eastern Div. of Wis.

I hereby certify that this is a  
true and correct copy of the original now  
remaining of record in my office.

SOFRON B. NEDILSKY, Clerk

DATED:

10/4/06 By  Deputy

- ☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- ☒ **Decision by Court.** This action came on for consideration and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED that the motion of defendants World Wrestling Entertainment, Inc. and Good Humor Corporation for summary judgment dismissing Albert Patterson's complaint is GRANTED.**

**Albert Patterson's infringement claims against the defendants based on their use of "WWF" and "World Wrestling Federation" are barred by res judicata.**

**Albert Patterson's infringement claims against the defendants based on their use of "WWF Superstars" and "WWE Superstars" are not barred by res judicata.**

**Albert Patterson's infringement claims against the defendants based on their use of "WWE" and "World Wrestling Entertainment" are not barred by judicial estoppel.**

**Albert Patterson's infringement claims against the defendants based on their use of "World Wrestling Federation," "WWF," and "WWF Superstars" are barred by laches.**

**Albert Patterson's claims arising out of the defendants' wrestling business's use of "WWF," "World Wrestling Federation," and "WWF Superstars" marks are barred by laches.**

**Albert Patterson's claims are fundamentally inconsistent with both resolution of the 1990 action and his course of conduct over the past 20 years. Summary judgment dismissing Albert Patterson's Lanham Act claims is granted. Albert Patterson has not proffered any admissible evidence of actual confusion.**

**Count Four, which alleges that the defendants misappropriated Albert Patterson's unique method of advertising involving Albert Patterson's selection and promotion of a collection of wrestlers each possessing a unique persona, fails as a matter of law.**

**The Court's determination that the defendants are entitled to summary judgment dismissing Albert Patterson's Lanham Act trademark infringement claims is likewise dispositive of Albert Patterson's state statutory claim. Therefore, Albert Patterson's fifth claim for state law trademark infringement is dismissed.**

**World Wrestling Entertainment, Inc.'s motion to voluntarily withdraw its counterclaims without prejudice is granted. World Wrestling Entertainment, Inc. may reinstate its counterclaims in the event Albert Peterson is successful in any appeal of this action.**

**Albert Peterson's motion seeking sanctions against World Wrestling Entertainment, Inc. and for reconsideration of the Court's order imposing sanctions is denied.**

**The defendants' are awarded attorney's fees and costs in the amount of \$41,210.56 which shall be paid to the defendants no later than September 5, 2006.**

**The defendants' supplemental petition for attorney's fees and costs is granted in the amount of \$10,097.91. Albert Patterson shall pay such amount to the defendants no later than September 5, 2006.**

**This action is hereby DISMISSED.**

August 21, 2006

Date

SOFRON B. NEDILSKY

Clerk

s/ Linda M. Zik

(By) Deputy Clerk

Approved as to form:

s/ Rudolph T. Randa

Hon. Rudolph T. Randa, Chief Judge

August 21, 2006

Date

, 6 ,



Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
[www.uspto.gov](http://www.uspto.gov)

## LETTER OF PROTEST MEMORANDUM

DATE: September 15, 2009

TO: Jenny Park  
Law Office 104

FROM: Charles G. Joyner  
Office of the Deputy Commissioner for  
Trademark Examination Policy

SUBJECT: Letter of Protest concerning Application Serial No. 77626281

A Letter of Protest filed before publication has been granted. It has been determined that the information submitted by the protester is relevant and supports a reasonable ground for refusal appropriate in *ex parte* examination. Therefore, you must consider the following and make an independent determination whether to issue a requirement or refusal based on the objections raised in the Letter of Protest:

Possible Likelihood of confusion with protester's registered mark

U.S. Reg No. 1857015

A copy of the registration is available in the x-search database.





Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
[www.uspto.gov](http://www.uspto.gov)

## LETTER OF PROTEST MEMORANDUM

DATE: September 15, 2009

TO: Jenny Park  
Law Office 104

FROM: Charles G. Joyner  
Office of the Deputy Commissioner for  
Trademark Examination Policy

SUBJECT: Letter of Protest concerning Application Serial No. 77626327

A Letter of Protest filed before publication has been granted. It has been determined that the information submitted by the protester is relevant and supports a reasonable ground for refusal appropriate in *ex parte* examination. Therefore, you must consider the following and make an independent determination whether to issue a requirement or refusal based on the objections raised in the Letter of Protest:

Possible Likelihood of confusion with protester's registered mark

U.S. Reg No. 1857015

A copy of the registration is available in the x-search database.



Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
[www.uspto.gov](http://www.uspto.gov)

## LETTER OF PROTEST MEMORANDUM

DATE: September 15, 2009

TO: Jenny Park  
Law Office 104

FROM: Charles G. Joyner  
Office of the Deputy Commissioner for  
Trademark Examination Policy

SUBJECT: Letter of Protest concerning Application Serial No. 77626253

A Letter of Protest filed before publication has been granted. It has been determined that the information submitted by the protester is relevant and supports a reasonable ground for refusal appropriate in *ex parte* examination. Therefore, you must consider the following and make an independent determination whether to issue a requirement or refusal based on the objections raised in the Letter of Protest:

Possible Likelihood of confusion with protester's registered mark

U.S. Reg No. 1857015

A copy of the registration is available in the x-search database.



Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
[www.uspto.gov](http://www.uspto.gov)

January 26, 2011

Mr. Albert P. Patterson  
Super Stars of Wrestling  
3840 N. Sherman Blvd.  
Milwaukee, WI 53216

Re: Submissions to the Commissioner for Trademarks of December 30, 2010  
Serial Nos. 77-626294, 77-626281, 77-626327, 77-626242, 77-626253  
Applicant: World Wrestling Entertainment, Inc.  
Mark: WWE SUPERSTARS

Dear Mr. Patterson:

The United States Patent and Trademark Office received your communication providing exhibits relating to your intellectual property. Your correspondence was not characterized as a letter of protest and has not been referred to for decision as such.

Please be advised that submissions by third parties to the trademark applications of other applicants are not permitted. Should you wish to formally file a letter of protest, please refer to the Trademark Manual of Examining Procedure (TMEP) (7<sup>th</sup> ed., 2010) for more information. <http://tess2.uspto.gov/tmdb/tmep/1700.htm#T1715> Letters of protest may not be submitted to the general trademarks correspondence address as they are not to become part of the application file record unless accepted by the Office of the Deputy Commissioner for Trademark Examination Policy. TMEP §1715

Letters of protest may be submitted via facsimile to 571-273-0032 or online at <http://www.uspto.gov> in the Trademark Electronic Application System (TEAS) under "Petition Forms," form 10 - Letter of Protest.

Sincerely,

*Jennifer Chicowski*  
/Jennifer D. Chicowski/  
Staff Attorney  
Office of the Commissioner for Trademarks  
U.S. Patent & Trademark Office





Commissioner for Trademarks  
P. O. Box 1451  
Alexandria, VA 22313-1451  
[www.uspto.gov](http://www.uspto.gov)

September 16, 2009

Mr. Albert P. Patterson  
3840 North Sherman Blvd.  
Milwaukee, WI 53216

Re: Letters of Protest concerning Trademark Application Serial No(s). 77626294, 77626281, 77626327, 77626242 and 77626253 all for the mark WWE SUPERSTARS

Dear Mr. Patterson:

The Office of the Deputy Commissioner for Trademark Examination Policy has reviewed your Letters of Protest pursuant to Sections 1715-1715.07 of the Trademark Manual of Examining Procedure (TMEP) and the Letters of Protest in Pending Trademark Applications Examination Guide (No. 4-08, issued Nov. 21, 2008).

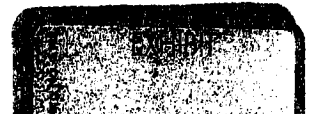
Decision: The Letters of Protest are hereby GRANTED.

Your Letters of Protest are granted because the information submitted with them is of the type which may be given to an Examining Attorney for consideration during *ex parte* examination. TMEP Section 1715. The examining attorney will be forwarded information regarding the possible likelihood of confusion.

The forwarding of the information enclosed in your Letter of Protest does not entitle you to communicate directly with the Examining Attorney, either orally or in writing, with regard to this application. Further, because this Letter of Protest was granted prior to the publication of the mark for opposition, it is within the discretion of the Examining Attorney to decide whether or not to institute the refusal, requirement or suspension raised by the evidence presented with the Letter of Protest. Therefore, you must continue to monitor the status of the application. You will find status information on all trademark applications and registrations using the on-line TARR system at the USPTO web site. The URL for that system is <http://tarr.uspto.gov>.

Regards,

/CGJ/  
Charles G. Joyner  
Staff Attorney  
Office of the Deputy Commissioner for  
Trademark Examination Policy  
(571) 272-8942



...



United States Patent and Trademark Office

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TESS was last updated on Fri Sep 1 04:21:15 EDT 2006

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|                                 |   |
|---------------------------------|---|
| <b>Word Mark</b>                | WORLD WRESTLING ASSOCIATION   |
| <b>Goods and Services</b>       | IC 041. US 100 101 107. G & S: entertainment services in the nature of wrestling matches; wrestling videotape production; and entertainment services in the nature of ongoing television programs featuring wrestling. FIRST USE: 19780619. FIRST USE IN COMMERCE: 19780619 |
|                                 | IC 035. US 100 101 102. G & S: promoting wrestling competitions of others. FIRST USE: 19780619. FIRST USE IN COMMERCE: 19780619   |
| <b>Mark Drawing Code</b>        | (1) TYPED DRAWING   |
| <b>Design Search Code</b>       |   |
| <b>Serial Number</b>            | 75879939  |
| <b>Filing Date</b>              | December 23, 1999   |
| <b>Current Filing Basis</b>     | 1A  |
| <b>Original Filing Basis</b>    | 1A  |
| <b>Published for Opposition</b> | November 8, 2005  |
| <b>Registration Number</b>      | 3051928   |
| <b>Registration Date</b>        | January 31, 2006  |
| <b>Owner</b>                    | (REGISTRANT) Patterson, Albert DBA WWA Superstars of Wrestling INDIVIDUAL UNITED STATES 3840 N. Sherman Blvd. Milwaukee WISCONSIN 53216   |
| <b>Attorney of Record</b>       | ALBERT PATTERSON  |
| <b>Disclaimer</b>               | NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE WRESTLING ASSOCIATION APART FROM THE MARK AS SHOWN   |
| <b>Type of Mark Register</b>    | SERVICE MARK<br>PRINCIPAL-2(F)  |



Int. Cls.: 35 and 41

Prior U.S. Cls.: 100, 101, 102 and 107

**United States Patent and Trademark Office**

Reg. No. 3,051,928

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**SERVICE MARK  
PRINCIPAL REGISTER**

**WORLD WRESTLING ASSOCIATION**

PATTERSON, ALBERT (UNITED STATES INDIVIDUAL), DBA WWA SUPERSTARS OF WRESTLING  
3840 N. SHERMAN BLVD.  
MILWAUKEE, WI 53216

FOR: PROMOTING WRESTLING COMPETITIONS OF OTHERS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 6-19-1978; IN COMMERCE 6-19-1978.

FOR: ENTERTAINMENT SERVICES IN THE NATURE OF WRESTLING MATCHES; WRESTLING VIDEOTAPE PRODUCTION; AND ENTERTAINMENT SERVICES IN THE NATURE OF

ONGOING TELEVISION PROGRAMS FEATURING WRESTLING, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 6-19-1978; IN COMMERCE 6-19-1978.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE WRESTLING ASSOCIATION, APART FROM THE MARK AS SHOWN.

SEC. 2(F).

SER. NO. 75-879,939, FILED 12-23-1999.

KELLY BOULTON, EXAMINING ATTORNEY



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## **SW** SUPERSTARS OF WRESTLING

|                                 |  |
|---------------------------------|--|
| <b>Word Mark</b>                | SUPERSTARS OF WRESTLING SW   |
| <b>Goods and Services</b>       | IC 041. US 107. G & S: entertainment services in the nature of television programs featuring wrestling. FIRST USE: 19790000. FIRST USE IN COMMERCE: 19790000 |
| <b>Mark Drawing Code</b>        | (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS   |
| <b>Design Search Code</b>       | 01.01.03 - Comets; Stars with five points  |
| <b>Serial Number</b>            | 74429666   |
| <b>Filing Date</b>              | August 30, 1993  |
| <b>Current Filing Basis</b>     | 1A   |
| <b>Original Filing Basis</b>    | 1A   |
| <b>Published for Opposition</b> | July 12, 1994  |
| <b>Registration Number</b>      | 1857015  |
| <b>Registration Date</b>        | October 4, 1994  |
| <b>Owner</b>                    | (REGISTRANT) Patterson, Albert P. DBA WWA SUPERSTARS OF WRESTLING<br>INDIVIDUAL UNITED STATES 3840 NORTH SHERMAN BLVD. Milwaukee WISCONSIN 53216             |
| <b>Disclaimer</b>               | NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "WRESTLING" APART FROM THE MARK AS SHOWN  |
| <b>Type of Mark</b>             | SERVICE MARK   |
| <b>Register</b>                 | PRINCIPAL-2(F)-IN PART   |
| <b>Affidavit Text</b>           | SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20050415.   |
| <b>Renewal</b>                  | 1ST RENEWAL 20050415   |
| <b>Live/Dead Indicator</b>      | LIVE   |
| <b>Distinctiveness</b>          | as to "SUPERSTARS OF WRESTLING"  |
| <b>Limitation Statement</b>     |  |